
Sent: 2/09/2018 4:59:26 PM

Subject: Attn: Development Assessment, Mod2018/0432 - DA2016/0050, Lot 1, Lot 2, Lot 33, Lot 34 and Lot 35 DP 7912 184 Wyndora Ave, Freshwater

Regarding the development modification no.Mod2018/0432 - DA2016/0550 184 Wyndora Ave, Freshwater

To Whom it May Concern

We are writing regarding the above development modification. We are the owners and residents of Unit 1, 25 McDonald St, Freshwater. We have the same concerns as the owners and residents of Unit 2, 25 McDonald St, Freshwater.

The air conditioners and exhaust were not indicated on the plans approved by Development Consent No.DA2016/0550. Even though these were not approved by Council, the developers have disregarded what was approved and gone ahead with the installation of the air conditioners and car park exhaust. The Developers were then told by the Council to remove them and return the building to the condition of the roof as approved.

Subsequently, another Development Application was put to Council to cover the unapproved installation. There are many reasons why approval should not be granted, some of which have already been listed by other residents.

We have several concerns. Firstly, this is a very high wind area, and already some of the original aluminium enclosures surrounding the air conditioners have blown off and onto adjoining properties. Should this happen again and damage property or injure people, who would bear responsibility, Council, certifier, developers, builders or owners? Can any guarantee be given and on what legal basis?

Secondly, there is also a significant loss of view to the properties opposite. This was not in original approval and is above the height that was approved and expected by neighbouring residents.

Thirdly, noise pollution. 14 air conditioning units will produce quite a lot of noise. This will be louder what was there before.

Fourthly, we are concerned about the disrespect to the Council approval process. The Developers have knowingly added the unapproved air conditioning units and car park exhaust which now exceed the maximum height of the area under LEP 2011. Will the Council allow this to become standard building practice that developers disregard the original Development Consent and assume that they will get approval later?

Yours sincerely
Kerrie and Susan Hall
1/25 McDonald St
Freshwater NSW 2096
2 September 2018